

JL Mealer • (928) 532-8191 • jlmealer@mealercompanies.com • 6333 Gardenia Ln. Show Low, AZ. (85901)

March 10th, 2010

JL Mealer
6333 Gardenia Lane
Show Low, Arizona (85901)
GMAC No. 0602003923

RE: FEDERAL CASE 2:09-BK24899-RTB
In Part RE: GM bk Case No. 09-50026 REG

**GMAC Attny Pite-Duncan (858) 750-7600*

Dear Honorable Judge Robert E. Gerber
US Bankruptcy Court Southern District of New York,

This is a special copy for your Honor if you see fit to explore my issues as part of the GM bankruptcy.

This is a very important page-and-a-half letter with an outline of details that are in your best interest to read. I am writing this to GM - GMAC and with the goodwill that I am known for.

Mealer Companies LLC is a new green automaker that GM-GMAC worked in concert by and through multiple employees to destroy. The following 4 pages of documented details outline "in-part," the defamatory attacks *and private apology* from GM-GMAC where your cooperative corporate effort directed through your employees crafted a joint Internet "IE. Global," RSS feed effort to ruin me personally and block my funding for growth. GM and GMAC succeeded in crushing a budding automaker and *legally, via a previous personal pseudo-apology, you have admitted your actions* of blackening my name and destroying my company.

Every GM-GMAC supervisor above GM's well seasoned K Kordella, a GM "Design Quality Lead Engineer 5/86 to 9/09" is responsible for this GM originated attack. Personal fault also legally falls onto supervisors for other Mr. Kordella and other GM-GMAC employees who seem to be acting in concert with this issue. There is no truth to the comments made by GM, causing this to be an incredibly vile and malicious assault. Your attack has benefited GM-GMAC(fs), and was caused by both old and new GM, GMAC, GMACfs and this can and will be documented in court. We need to settle this now, so I can attempt to resume my business and prevent GMAC foreclosure on my home.

The fact that GMAC purchased the title to my house from my original mortgage holder and was then involved in malicious defamation and restraint of trade seemingly in collusion with parent company (failing automaker) GM in order to destroy another automaker (Mealer Companies) is suspicious to suggest the least.

I would not avoid standing before a modern-day American jury and hordes of TV cameras to explain how your GM-GMAC group of mega-corporations, who are playing corporate shuffle for bail-out funds, took it upon themselves to intentionally ruin a budding renewable fuel powered vehicle automaker and destroy a businessman's name and reputation simply because GM-GMAC was worried about their own reputation and financial situation. Can you picture the little guy, "the underdog," in court, holding before him a letter of admission from one of the multiple GM employees who worked in concert to create this situation? **Imagine it.**

We should talk. Neither GM (Old and New) nor GMAC(fs) are in the best of finances or global moral stature to take this on full force with the American public in a courtroom, especially after you've admitted fault with the issue. The factual and legal aspect of the pending lawsuit is complete. All that remains is for a jury to multiply our \$200 Million loss by three, as per Title 15 USC § 15. PLUS the costs of Defamation and Blackening my reputation and crippling my future goals, PLUS loss of business and other immediate and future damages which you have created, PLUS Corporate/Personal fines, etc. *However, I am a fair and honest man.*

Any way you look at it, GM-GMAC made a huge defamatory blunder then admitted it to me in writing and could feasibly be forced to pay me close to \$1 Billion without tacking on the \$100 Million in court fines for

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each incident. Of course, the case would be stuck in court accruing interest for a decade while GM potentially (hopefully not) fails again in bankruptcy. Let's make a common sense agreement outside of court preferably by March 25th, 2010, so that I may keep my home, leverage the settlement and borrow against it and help save this economy while building Mealer Automobiles. Albeit I must begin again with a new approach and a different Brand Name due to your defamation of my company's engineering abilities, (but I will work on that).

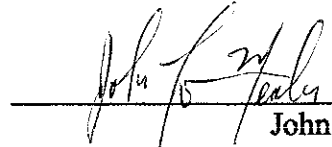
When you reply to me at your leisure sometime this month before March 17th, 2010, if you would be so kind as to have someone locate the following and send it to me, so that I may complete the complaint covering individual management and other responsible parties in detail within my official lawsuit. These requests are made to further detail this legal issue IF we fail to reach an agreement prior to March 25th, 2010, whereby I MUST proceed with this lawsuit for self-preservation and seek justice against GM-GMAC continued attacks against my family and business:

1. Kris J Kordella's GM-GMAC payroll records from May 09 to Sept 09. (kris.j.kordella@gm.com)
2. Full list of responsible parties (management and supervisors) directly above Mr. Kordella, 5/9-9/9.
3. Christy Garwood's GM-GMAC payroll records from May 09 to Current. (christy.garwood@gm.com)
4. Full list of responsible parties (management and supervisors) directly above Ms. Garwood, 5/9-Current.
5. More names and requests to follow...

Additional details for my bk and this case can be gathered from the law firm representing GMAC:
Pite Duncan, LLP 4375 Jutland Drive, Suite 200, San Diego, CA 92117 Phone: (858) 750-7600

Sincerely,

An Arizona Registered Automaker Company
Mealer Companies LLC
America's Next Major Automaker


John Lewis Mealer

This 2 pg letter and 4 pg documents CC to the following persons:

1. Alvaro de Molina, CEO, GMAC, 4/08 to 6/09 - 200 Renaissance Center, Det, MI 48265-2000
2. Michael Carpenter, CEO, GMAC(fs), 5/09 to Crnt. - 200 Renaissance Center, Det, MI 48265-2000
3. Edward E. Whitacre, Jr., CEO, GM "new" - 300 Renaissance Center, Detroit, MI 48265-3000
Mail Drop 482-Z39-B10
4. Frederick Henderson, CEO, GM "old" - 300 Renaissance Center, Detroit, MI 48265-3000
Mail Drop 482-Z39-B30
5. Albert Koch, CRO, GM (Motors Liquidation Co.) - c/o AP Services, LLC 2000 Town Center, Suite 2400, Southfield, MI 48075
6. Butzel Long, 380 Madison Ave-22nd Flr., NY.NY 10017 Attn: Barry N. Seidel
7. US Bankruptcy Court South Dist NY, Honorable Judge Robert E. Gerber, One Bowling Green NY, NY 10004
8. PITE DUNCAN LLP, PO BOX 17933, San Diego, CA 92177-0933 for GMAC Mortgage
9. Lawrence J Warfield, Case Trustee BK24899, PO BOX 14647, Scottsdale, AZ 85267

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RE: Sherman Act, 'The Antitrust Law'. The *Per Se* Rule vs. the Rule of Reason

Violations under the Sherman Act take one of two forms - either as a per se violation or as a violation of the rule of reason. Section 1 of the Sherman Act characterizes certain business practices as a per se violation. A per se violation requires no further inquiry into the practice's actual effect on the market or the intentions of those individuals who engaged in the practice. Some business practices, however, at times constitute anticompetitive behavior and at other times encourage competition within the market. For these cases the court applies a totality of the circumstances test and asks whether the challenged practice promotes or suppresses market competition. Courts often find intent and motive relevant in predicting future consequences during a rule of reason analysis. A presumption exists in favor of the rule of reason for ambiguous cases.

Prohibited Anticompetitive Schemes

Title 15 USC § 1. Trusts, etc., in restraint of trade illegal; penalty

Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be illegal. Every person who shall make any contract or engage in any combination or conspiracy hereby declared to be illegal shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding \$100,000,000 if a corporation, or, if any other person, \$1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

Title 15 USC § 2. Monopolizing trade a felony; penalty

Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding \$100,000,000 if a corporation, or, if any other person, \$1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

Title 15 USC § 15. Suits by persons injured

(a) Amount of recovery; prejudgment interest

Except as provided in subsection (b) of this section, any person who shall be injured in his business or property by reason of anything forbidden in the antitrust laws may sue therefor in any district court of the United States in the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee. The court may award under this section, pursuant to a motion by such person promptly made, simple interest on actual damages for the period beginning on the date of service of such person's pleading setting forth a claim under the antitrust laws and ending on the date of judgment, or for any shorter period therein, if the court finds that the award of such interest for such period is just in the circumstances. In determining whether an award of interest under this section for any period is just in the circumstances, the court shall consider only—

- (1) whether such person or the opposing party, or either party's representative, made motions or asserted claims or defenses so lacking in merit as to show that such party or representative acted intentionally for delay, or otherwise acted in bad faith;
- (2) whether, in the course of the action involved, such person or the opposing party, or either party's representative, violated any applicable rule, statute, or court order providing for sanctions for dilatory behavior or otherwise providing for expeditious proceedings; and
- (3) whether such person or the opposing party, or either party's representative, engaged in conduct primarily for the purpose of delaying the litigation or increasing the cost thereof.

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Title 15 USC §15a. Suits by United States; amount of recovery; prejudgment interest

Whenever the United States is hereafter injured in its business or property by reason of anything forbidden in the antitrust laws it may sue therefor in the United States district court for the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by it sustained and the cost of suit. The court may award under this section, pursuant to a motion by the United States promptly made, simple interest on actual damages for the period beginning on the date of service of the pleading of the United States setting forth a claim under the antitrust laws and ending on the date of judgment, or for any shorter period therein, if the court finds that the award of such interest for such period is just in the circumstances. In determining whether an award of interest under this section for any period is just in the circumstances, the court shall consider only—

- (1) whether the United States or the opposing party, or either party's representative, made motions or asserted claims or defenses so lacking in merit as to show that such party or representative acted intentionally for delay or otherwise acted in bad faith;
- (2) whether, in the course of the action involved, the United States or the opposing party, or either party's representative, violated any applicable rule, statute, or court order providing for sanctions for dilatory behavior or otherwise providing for expeditious proceedings;
- (3) whether the United States or the opposing party, or either party's representative, engaged in conduct primarily for the purpose of delaying the litigation or increasing the cost thereof; and
- (4) whether the award of such interest is necessary to compensate the United States adequately for the injury sustained by the United States.

INTENTIONAL INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE

Nature of the Tort of Intentional Interference with Prospective Economic Advantage

The elements of that tort of are:

- 1. an economic relationship between [the plaintiff and some third person] containing the probability of future economic benefit to the [plaintiff],***

JL Mealer, while searching and discussing funding for his alternative fuels, automotive mfg business with multiple funding groups, individuals, engineers, engineering companies, fabrication companies, et al, was attacked and irreparably blackened, libeled, other wise made to lose these funding accounts by GM - GMAC employees who later apologized for (thus admitted) the events.

- 2. knowledge by the defendant of the existence of the relationship,***

GM-GMAC employee entered Mealer's investor oriented website, signing up as a Blogger calling himself "MONEY01" then proceeded to destroy and blacken Mealer's reputation, name, company value and over-all funding viability of Mealer's future projects and business in whole with his remarks while also claiming to be a "real" engineer of "real" automobiles" and then ending his tirade with "I wish you ALL the worst the world can give a self serving pathetic MORON."

- 3. intentional acts on the part of the defendant designed to disrupt the relationship,***

GM-GMAC employee signing on as MONEY01 provides proof he knew a money source was the objective of Mealer's website, and the over-all defamation and attack proves MALICE along with the apology as described in detail for GM-GMAC employee's attack.

- 4. actual disruption of the relationship, [and] (5) damages to the plaintiff proximately caused by the acts of the defendant.' (Buckaloo v. Johnson (1975) 14 Cal.3d 815, 827.)***

Mealer has lost all pending business relationships due to the June 9th, 2009 attack originating (documented IP addresses and Server information to the street addresses) from within GM and GMAC locations.

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Additional GMAC to Mealer Companies website visits show that GMAC office and GM inner office / engineering employees acting with combined efforts may have been used to prevent Mealer from maintaining mortgage payments and livelihood which ultimately resulted in Mealer going bankrupt and declaring Ch 7 BK in Oct 2009 once the "pending Due Diligence" for funding and subsequent GM-GMAC attacks created the loss of business interest and contracts to be terminated after the comments. GM-GMAC actions cost me everything, including funding.

Mealer has multiple industry famous and high level employees (pending funding) as the main development team for this new automaker business and the interest in providing funding has been very high until the (then) world's #1 automaker "GM" intentional degrading efforts and blackening of Mealer's reputation, whereby GM-GMAC crippled Mealer's livelihood. Funding details, contracts for funding and cash deposits were due in June-July 2009, when the attack occurred on June 09, 2009. Several of Mealer's patents pending are now in jeopardy due to final R&D and utility patent registration pending upon funding.

GM-GMAC employee who claims to have actually typed the comments had issued a version of an 'apology' one week after the attack while wholly admitting to the attack, and has since been reassigned to an Technical Instructor's position as "self employed" yet under GM benefits package within the **GM Family**. Two other employees, one of GM's PR Team of professional bloggers and one evidently who works in GMAC Financial Services which may be the location where all computers were operated from. The actual computer locations have not been determined 100%, yet all IP addresses originate from General Motors and General Motors Acceptance Corporation Financial Services.

Elements of Libel and Slander

DEFAMATION

Libel or Slander: Libel is written, slander is oral.

Historically, defamation consisted of slander and libel. Slander is defamation by speaking, and libel is defamation by means of writing. After the invention of the printing press, the permanence of the written word meant that libel caused far more damage than slander. Slander, however, had a big impact in pre-literate communities where the spoken word was the primary way information was exchanged.

Defamation consists of the following:

- (1) a defamatory statement;
- (2) published to third parties; and
- (3) which the speaker or publisher knew or should have known was false.

Each of these element has generated controversy. We shall examine them in turn:

A. A Defamatory Communication

1. A statement which causes harm to reputation.

A statement is defamatory if it "tends to injure the plaintiff's reputation and expose the plaintiff to public hatred, contempt, ridicule, or degradation." Phipps v. Clark Oil & Ref. Corp., 408 N.W.2d 569, 573 (Minn. 1987). When the defamatory meaning is not apparent on its face, the plaintiff has the burden of pleading and proving such extrinsic facts, Anderson v. Kammeier, 262 N.W.2d 366, 371 (Minn. 1977).

FOLLOWING are "**highlighted excerpts**" (completed with 'extrinsic facts for court purposes) from GM-GMAC public weblog defamation through published comments of irreparable personal attacks and wholly unfair anti-competitive business statements on Mealer Companies website which has blackened Mealer's name, good reputation and this registered automaker company by fellow Automaker 'and bank', GM-GMAC.

The comments below, in their entirety (*yes, there's more*), went out to many highly interested investors, future customers and employees who had signed up for an RSS feed from the Mealer Companies LLC Interim and Investor based website [you (GM-GMAC) destroyed me personally and business wise]:

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1a. (Meriam Webster Dictionary), ...***"Mealer Automobiles? America's next major automobile company?"***

"Question Marks and multiple usage of Question marks meaning: a: Something unknown, unknowable, or uncertain b: someone (as an athlete or an automaker) whose condition, talent, or potential for success is in doubt."

1b. (Collins English Dictionary), ***"...HAH!!!!!!!!!!!!!!!!!!!!!!!!!!"***...

"HAH abbreviation of HA meaning an exclamation denoting surprise, joy or grief. Both uttered and as written, it expresses as great variety of emotions, determined by the time or the context. When repeated, ha, ha, it is an expression of laughter, satisfaction, or triumph, sometimes derisive laughter; or sometimes it is equivalent to "Well, it is so."

Ha-has, and articulate hootings of satirical rebuke. Carlyle

1c. (Stuart Jeffries, "The Joy of Exclamation Marks!" The Guardian, Apr. 29, 2009)

"There is surely a point after which exclamation marks no longer express friendliness. In this post-literal time, exclamation marks become signs of sarcasm as witty correspondents rebel against their overuse. Hence: 'I loved your last email! OMG did I LOVE it!!!!!!' The point is they didn't. They were being IRONIC."

1d. ***Use of multiple Exclamation Points with exclamation point defined as: "as a symbol of factorial function, or (in logic) occurring with an existential quantifier"***

2. (Cambridge Idiom Dictionary), ***"...it's obvious you don't have one (a mind)..."***

commonly referred to as out of your mind:

"extremely stupid or mentally ill."

3a. (Meriam-Webster Dictionary), ***"...self serving..."***

"Serving one's own interests often in disregard of the truth or the interests of others."

3b. (Merriam-Webster Dictionary), ***"...pathetic..."***

"Pitifully inferior or adequate"

3c. (Merriam-Webster Dictionary), ***"...MORON..."***

"1. a person affected with mild retardation. 2. a very stupid person."

4. (Merriam-Webster Dictionary), ***"...CLOWN..."***

"2. rude ill-bred person. 3. A person who habitually jokes and plays the buffoon."

5. (Merriam Webster Dictionary), ***"...real..."*** used twice to explain that Mealer was not "real".

"1. Not artificial, fraudulent, or illusionary. 2. GENUINE. 3. Genuinely good or capable of success."